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EXAMINER

LAYE, JADE O

ART UNIT PAPER NUMBER

2617

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/762,753

Applicant(s)

GRAEF, GUIDO

Examiner

Jade O. Laye

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-16 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 06 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 6/6/2005 have been fully considered but they are not persuasive. The Examiner is still of the opinion the combined systems of *Dini* and *Ma* disclose all limitations of claim 1. Accordingly, **THIS ACTION IS MADE FINAL**.

Applicant argues *Dini* does not disclose all limitations of claim 1. Specifically, Applicant argues "...it is not revealed in *Dini*, that a detector is present, which detects the switching TV home receivers and initiates a browsing starting signal, which causes the satellite receiver to look for the desired satellite channel image signals." The Examiner agrees with this argument, which is why the *Ma* Reference was applied under a 103 analysis. As discussed in the previous non-final action, *Ma* contains all limitations not disclosed by *Dini*. (please refer to previous action for further discussion). Therefore, the combined systems of *Dini* and *Ma* disclose all limitations of claim 1.

In further support of Applicant's arguments, Applicant argues multiple receivers are needed for *Dini*'s system, and therefore, Applicant's invention is patentable over the prior art. The Examiner does not understand how or why Applicant expects this argument to be persuasive. Even if this is a correct interpretation of *Dini*'s system, Applicant's claim scope is not limited to such an interpretation. Moreover, the fact that *Dini* may be more expensive bears no weight its application as prior art.

Lastly, Applicant argues "...*Ma*, however, only shows a general television tuning system for selecting programs over the whole frequency band of reception." Even if this interpretation of *Ma* is correct, Applicant's claims are not limited to such an interpretation. Moreover, the *Ma* Reference still reads on the limitations of claim 1 as written. (please refer to previous action for further discussion). Accordingly, the combined systems of *Dini* and *Ma* disclose all limitations of claim 1.

2. Due to Applicant's amended Specification, Drawings, and Claims, the objections applied in the previous action have been withdrawn.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1-6, 8-12, 15, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dini et al (EP 0288928) in view of Ma et al. (US Pat. No. 3,737,565).

Claim 1 recites limitations to numerous to list herein. The following rejection will address each element in turn.

As to element "a", Dini discloses an integrated receiving system capable of receiving both satellite and terrestrial broadcast programming, demodulating the satellite signals to VHF/UHF range, and comprises a house antenna cable capable of receiving UHF/VHF transmissions. (Col. 1, Ln. 1-55 & Fig. 1).

As to elements “b” and “c”, Dini further discloses the use of a television, comprising an output socket, located separate from the satellite receiver. (Fig. 1). (The arrow pointing in the upstream direction indicates the output socket.) It is inherent the system components are connected via a house antenna cable (i.e., coaxial, etc.--because the system as disclosed is not capable of wireless transmission between components) and both the satellite receiver and television set have a house antenna connection. (Fig. 1).

As to element “d”, Dini further teaches the system contains various controllers, which generate control signals for the satellite receiver. (Col. 5, Ln. 39-58 thru Col. 6, Ln. 1-10 & Fig. 1). These controllers can be integrated into the television or located separate from the television. (Col. 6, Ln. 37-39).

But, Dini fails to specifically disclose the limitations recited in elements “e” and “f.” However, within the same field of endeavor, Ma discloses a signal detector/search tuning system in which the system begins searching a frequency range in response to a momentary contact of a “start” switch (i.e., start signal). (Col. 1, Ln. 5-30). This start signal is generated after the system detects engagement of the television. (Col. 2, Ln. 60-67 thru col. 3, Ln. 1-56). Accordingly, it would have been obvious to one of ordinary skill in this art at the time of applicant’s invention to combine the systems of Dini and Ma in order to provide a system capable of search tuning a satellite and terrestrial receiver, thereby providing the user with a system which smoothly integrates both broadcast signals.

Claim 2 recites the satellite television signal receiving stations of claim 1, characterized by the fact that the video signal output socket is a Euro-AV socket. (Note: Euro-AV socket is also referred to in the art as a “SCART” socket). As discussed above, the combined systems of

Dini and Ma contain the limitations of claim 1, and Dini further teaches the use of a television comprising a SCART socket. (Col. 2, Ln. 5-15). Accordingly, the combined systems of Dini and Ma contain all limitations of claim 2.

Claim 3 recites the satellite television receiving station of claim 1, characterized by the fact that the control signals generated from the satellite receiver control module for the satellite receiver are transmitted via the house antenna cable, the ac power mains, or a signal connection provided between the television set and satellite receiver to the satellite receiver and that the satellite receiver is prescribed to receive control signals generated by the satellite receiver control module. As discussed above, the combined systems of Dini and Ma contain all limitations of claim 1, and Dini further teaches that controller 13 sends control signals to controller 6 (which forms part of the satellite receiver) via the house antenna cable in order to perform the functions of the system. (Col. 5, Ln. 39-58 thru Col. 6, Ln. 1-10 & Fig. 1). Therefore, the satellite receiver is prescribed to receive control signals from the control module. Accordingly, the combined systems of Dini and Ma contain all limitations of claim 3.

Claim 4 recites the satellite television signal receiving station of claim 1, characterized by the fact that the satellite receiver control module is arranged outside of the television housing and that image signals are fed to the satellite receiver control module via the Euro-AV socket of the television set, the image signals corresponding to the image signals displayed on the screen of the television set. As discussed above, the combined systems of Dini and Ma contain all limitations of claim 1, and Dini further discloses that controller 13 can be arranged outside of the television and that the television can transmit data upstream. (Fig. 1). It is inherent this upstream data contain image signals which correspond to those on the television because the

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controller must monitor events such as channel changes in order to notify the system to engage switching. Lastly, as discussed above, Dini teaches the television can contain a SCART socket. (Col. 5, Ln. 5-15). Accordingly, the combined systems of Dini and Ma contain all limitations of claim 4.

Claim 5 recites the satellite television signal receiving station according to claim 1, characterized by the fact that the control signals generated in the satellite receiver control module contain a search stop signal for the satellite receiver. As discussed above, the combined system of Dini and Ma contain all limitations of claim 1, and Ma further teaches the system sends a recognition signal to the frequency scanner signaling the scanner to stop. (Col. 3, Ln. 10-56). Accordingly, the combined system of Dini and Ma contain all limitations of claim 5.

Claim 6 recite the satellite television signal receiving station of claim 5, characterized by the fact that the satellite receiver control module has a detector, which detects the presence of an image signal and generates the search stop signal when the image is detected. As discussed above, the combined systems of Dini and Ma contain all limitations of claim 5, and Ma further teaches the system comprises a signal detector, which detects the presence of an image signal and generates the stop signal (i.e., recognition signal) in response. (Col. 3, Ln. 10-56). Accordingly, the combined system of Dini and Ma contain all limitations of claim 6.

Claim 8 recites the satellite television signal receiving station of claim 1, characterized by the fact that the satellite receiver has the means to introduce a code signal into the television signal. As discussed above, the combined system of Dini and Ma contain all limitations of claim 1, and Dini further teaches controller 6 (i.e., satellite receiver) encodes the signal with various data such as the desired channel number and conversion channel number. (Col. 5, Ln. 39-58 thru

Col. 6, Ln. 1-10). Therefore, the combined system of Dini and Ma contain all limitations of claim 8.

Claim 9 recites the satellite television signal receiving station according to claim 8, characterized by the fact that the satellite receiver control module has a detector that detects the presence of the code signal in the television signals present at the Euro-AV socket and generates the search stop signal only when the code signal is present. As discussed above, the combined systems of Dini and Ma contain all limitations of claim 8, and Ma further teaches the system sends a recognition signal to the frequency scanner signaling the scanner to stop. (Col. 3, Ln. 10-56). This teaching, coupled with the teaching of Dini discussed under the rejection of claim 8, will render a system that only generates a stop signal when a recognition signal is detected. Accordingly, the combined systems of Dini and Ma contain all limitations of claim 9.

Claim 10 recites the satellite television signal receiving station according to claim 1, characterized by the fact that the satellite receiver control module is arranged within the television receiver housing. As discussed above, the combined systems of Dini and Ma contain all limitations of claim 1, and Dini further teaches the controller can be located within the television. (Col. 6, Ln. 49-53). Therefore, the combined systems of Dini and Ma contain the limitations of claim 10.

Claim 11 recites the satellite television signal receiving station of claim 10, characterized by the fact that the satellite receiver control module is the microcomputer of the television receiver. As discussed above, the combined systems of Dini and Ma contain all limitations of claim 10, and Dini further teaches the controller located within the television can be a

microprocessor. (Col. 6, Ln. 34-48). Therefore, the combined systems of Dini and Ma contain the limitations of claim 11.

Claim 12 recites the satellite television signal receiving system of claim 1, and further limitations too numerous to recite herein. As discussed above, the combined systems of Dini and Ma contain all limitations of claim 1, and Dini further teaches the system controller can be programmed to store all free VHF/UHF channels in a user location and can detail what UHF/VHF channels correspond to what satellite channels. (Col. 5, Ln. 39-58 thru Col. 6, Ln. 1-16). Accordingly, the combined system of Dini and Ma contain all limitations of claim 12.

Claim 15 recites the satellite television signal receiving system of claim 1, characterized by the fact that the television set and the satellite receiver have a common operating unit. Applicant's specification is unclear as to what is the scope of "operating unit." However, the examiner interprets the term to mean any system component capable of performing some operation. As discussed above, the combined systems of Dini and Ma contain all limitations of claim 1, and Dini further discloses the television set and satellite receiver have a common operating unit in controller 13. (Fig. 1). Accordingly, the combined system of Dini and Ma contain all limitations of claim 15.

Claim 16 recites the satellite television signal receiving system of claim 15, characterized by the fact that channel selection for terrestrial television signal reception and satellite television signal reception occurs through the numerical keyboard of the common operating unit without requiring a switching process between terrestrial reception and satellite reception. As discussed above, the combined systems of Dini and Ma contain all limitations of claim 15, and Dini further teaches the use of a command unit with numbered keys (i.e., numerical keyboard) which is used

to perform the system operations, thereby allowing the user to channel surf cable and terrestrial broadcast without having to physically switch the cables, sources, etc. Accordingly, the combined system of Dini and Ma contain all limitations of claim 16.

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dini in view of Ma as applied to claim 3 above, and further in view of Chanteau. (US Pat. No. 5,905,941).

Claim 7 recites the satellite television signal receiving station according to claim 3, characterized by the fact that the control signals are transmitted in the form of a 22 KHz switching signal. As discussed above, the combined systems of Dini and Ma contain all limitations of claim 3, but fail to specifically recite the limitation of claim 7. However, within the same field of endeavor Chanteau discloses a similar system in which control receivers transmit 22 KHz switching signals upstream. (Col. 5, Ln. 16-27). Therefore, it would have been obvious to one of ordinary skill in this art at the time of applicant's invention to combine the systems of Dini, Ma, and Chanteau in order to provide a system capable of effective switching.

5. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dini in view of Ma as applied to claim 1 above, and further in view of Chanteau. (US Pat. No. 5,905,941).

Claim 13 recites the satellite television signal receiving station of claim 1, characterized by the fact that it has several satellite receivers, several television sets, and several satellite receiver control modules. As discussed above, the combined systems of Dini and Ma contain all limitations of claim 1, but fail to specifically disclose whether the combined system can be used

in a larger system. (But, an obvious rejection could possibly be made). However, within the same field of endeavor, Chanteau discloses a system comprising multiple satellite receivers, television sets, and control modules. In light of this disclosure, using the combined system of Dini and Ma would have been an obvious modification. Accordingly, the combined systems of Dini, Ma, and Chanteau contain all limitations of claim 13.

Claim 14 recites the satellite television signal receiving station of claim 13, characterized by the fact that the control signals generated by the satellite receiver control modules are provided with a code signal for the satellite receiver control modules generating the corresponding control signal. As discussed above, the combined systems of Dini, Ma, and Chanteau contain all limitations of claim 14, and Chanteau further teaches that the control modules generate digital codes representing messages to be transmitted throughout the system. (Col. 3, Ln. 54-64). Accordingly, the combined systems of Dini, Ma, and Chanteau contain all limitations of claim 14.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37


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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jade O. Laye whose telephone number is (571) 272-7303. The examiner can normally be reached on Mon. 7:30am-4, Tues. 7:30-2, W-Fri. 7:30-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner's Initials 

June 27, 2005.


NGOC-YEN VU
PRIMARY EXAMINER